

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CURBIO, INC.,

Plaintiff,

v.

MEGAN MILLER, et al.,

Defendants.

CIVIL ACTION

NO. 22-3619-KSM

ORDER

AND NOW this 13th day of March, 2023, upon consideration of Plaintiff Curbio, Inc.’s Motion to Strike Defendants’ Affirmative Defenses (Nos. 2, 4–8, & 14) (Doc. No. 16), Defendants’ opposition brief (Doc. No. 17), and Plaintiff’s reply brief (Doc. No. 18), it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The motion is **DENIED** as to defenses 2, 7, and 8;

2. The motion is **GRANTED** as to defense 14. Defense 14 is **STRICKEN WITHOUT PREJUDICE** to Defendants’ right to file an Amended Answer that states this defense with the requisite specificity. If Defendants choose to file an Amended Answer, they shall do so by **MARCH 20, 2023**; and

3. The motion is **GRANTED** as to defenses 4, 5, and 6, which are **STRICKEN WITH PREJUDICE**.

IT IS SO ORDERED.

/s/Karen Spencer Marston

KAREN SPENCER MARSTON J.